United Nations A/72/313

General Assembly

Distr.: General
10 August 2017

Original: English

Seventy-second session
Item 53 of the provisional agenda*
United Nations Relief and Works Agency for Palestine Refugees in the Near East

Persons displaced as a result of the June 1967 and subsequent hostilities

Report of the Secretary-General

Summary

In its resolution 71/92, the General Assembly requested the Secretary-General, after consulting the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, to report on progress made with regard to the implementation of the resolution, which relates to persons displaced as a result of the June 1967 and subsequent hostilities.

The present report pertains to correspondence between the Secretary-General and the Permanent Representative of Israel to the United Nations regarding action taken by the Government of Israel in implementing the relevant provisions of the resolution. It also presents information made available by the Commissioner-General to the Secretary-General on the return of refugees registered with the Agency to the West Bank and the Gaza Strip from Jordan, Lebanon and the Syrian Arab Republic.

* A/72/150.

17-13840 (E) 210817

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1. The present report is submitted pursuant to resolution 71/92, by which the General Assembly requested the Secretary-General, after consulting the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), to report on the progress made with regard to the implementation of the resolution.

2. On 19 May 2017, the Secretary-General addressed a note verbale to the Permanent Representatives of Member States, including the Permanent Representative of Israel, in which he drew attention to his reporting responsibility under resolutions 71/91 to 71/94 and requested them to inform him of any action that their Governments had taken or envisaged taking concerning the implementation of the relevant provisions of the resolutions.

3. In a note verbale dated 26 July 2017, the Permanent Mission of Israel replied as follows:

> The Permanent Mission of Israel to the United Nations has the honour to refer to the note concerning resolutions 71/91 to 71/94 adopted by the General Assembly on 6 December 2016 under the agenda item "United Nations Relief and Works Agency for Palestine Refugees in the Near East".
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> Israel decided, once again, to vote against these resolutions, owing to their apparent political motive and the fact that they represent a one-sided view that fails to reflect the reality on the ground.
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> Israel supports the humanitarian activities of the "United Nations Relief and Works Agency for Palestine Refugees in the Near East" in line with its original and primary mandate of aiding the refugees and carrying out direct relief and works programmes.
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> Nevertheless, Israel remains deeply concerned regarding the agency's persistent use of humanitarian funding for the purpose of advocacy. Israel is troubled by the agency's perpetuation of a one-sided narrative about the conflict in our region, with the refugees serving as the primary means of achieving this goal.
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> Instead of focusing on relief and humanitarian assistance, UNRWA chooses to promote a controversial political agenda. One example is the agency's proactive campaigns supporting the so-called "right of return" for millions of Palestinians. The question of Palestinian refugees has not been agreed between Israel and the Palestinians and can be resolved only through direct bilateral negotiation between the parties. It is unacceptable for a United Nations agency to actively promote the agenda of one side of the conflict. UNRWA advocacy in this regard is inappropriate and undermines efforts to achieve a political solution.
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> Unfortunately, along with UNRWA use of humanitarian funding for the purpose of political campaigns, we have witnessed through the years many examples of misconduct by the agency and its employees.
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> Recently, UNRWA personnel have even been found within the ranks of the internationally designated terrorist organization, Hamas. In February 2016, Israeli authorities revealed that the Chairman of the UNRWA Staff Union in the Gaza Strip and Principal of the UNRWA boys elementary school for refugee children, Suhail al-Hindi, had been elected to the political bureau of Hamas. This is the same al-Hindi who was suspended in 2011 by UNRWA after meeting with the Hamas leader, Ismail Hania. His suspension lasted only three months, after which al-Hindi was allowed to return to his prior position.

Likewise, Muhammad al-Jamasi, the head of the UNRWA engineering department, was also reportedly elected to the Hamas political bureau.

At first, UNRWA denied the allegations regarding its employees. Only after being confronted with irrefutable evidence of their terrorist connections did the agency suspend al-Hindi and al-Jamasi, providing no further information on the circumstances of their dismissal. Moreover, only when publicly questioned about the incident by Israel's Mission to the United Nations did the UNRWA Commissioner-General confirm al-Hindi's dismissal. Even then, the UNRWA Commissioner-General attempted to reduce the offence, claiming that al-Hindi had been dismissed because he "ran for an elected office".

These are just two recent examples of UNRWA misconduct. The agency's employees have often engaged in egregious acts, including calls to commit acts of violence against Israelis on social media.

The indications that UNRWA employees are working on behalf of Hamas, while others are inciting violence, raise serious questions about the agency's monitoring and vetting processes. UNRWA must assume responsibility for any misconduct by its staff and affiliates and uphold the necessary standards of accountability and transparency. The agency must conduct thorough investigations into any and all cases of suspected violations of the United Nations standards of conduct by its employees and should present a public report on such issues in a timely manner.

Another grave concern arose last month when it was confirmed that Hamas had built a terror tunnel beneath two adjacent UNRWA elementary schools in Gaza, under the Maghazi Elementary Boys A&B School and the Maghazi Preparatory Boys School.

The discovery of this terror tunnel, placed directly under the classrooms of young children, is not an isolated incident. Rather, it is the latest example of a series of alarming attempts by Hamas terrorists to systematically exploit the organs of the United Nations. Hamas' gross misuse of civilian infrastructure is not new either. In fact, it was the terror group's modus operandi during the 2014 Gaza conflict. Hamas' activities not only place the people of Israel and Gaza at risk, but also severely damage humanitarian efforts in Gaza. It is crucial that all United Nations-affiliated agencies, especially UNRWA, remain neutral and safeguarded from abuse by terrorist organizations. UNRWA should take the appropriate measures to ensure that attempts by terrorists to exploit its facilities will not succeed.

In the light of Hamas' unrelenting attempts to exploit civilian infrastructure and humanitarian assistance, Israel is concerned by the fact that the UNRWA Commissioner-General refrains from recognizing Hamas' responsibility for the dire situation in Gaza. In his latest statement, on 12 June 2017, assessing the situation in the Gaza Strip, the Commissioner-General omitted any mention of Hamas' decade-long control of Gaza and its detrimental impact on the humanitarian situation in the Gaza Strip. Regrettably, the Commissioner-General has also failed to condemn Hamas' abuse of United Nations facilities and diversion of humanitarian aid for military purposes.

Despite serious security threats, Israel is actively working to support reconstruction efforts in the Gaza Strip. Since October 2014, the United Nations-backed Gaza Reconstruction Mechanism has enabled the entrance of over 8.2 million tons of various types of construction materials into the Gaza Strip. As of January 2017, 102,331 out of 130,000 damaged housing units had been renovated. Over 11,500 new housing units are in advanced stages of

construction, and hundreds more are ready for occupancy. Hundreds of public projects, including schools, clinics, mosques and parks, have been completed or are near completion.

Delays in reconstruction stem predominantly from the actions of Hamas and its conflict with the Palestinian Authority. Hamas refuses to allow the Palestinian Authority to maintain security and civilian control of the Palestinian side of Gaza's border crossings with Israel and Egypt. For its part, the Palestinian Authority seeks to weaken Hamas, which appears to influence the pace and extent of its reconstruction activities.

UNRWA must fulfil its duty to provide a neutral and honest account that represents the real situation on the ground. It must not distort facts and present them in favour of any political narrative.

We call upon UNRWA to return to its original agenda as a relief and works agency and refrain from one-sided, biased political advocacy activities or remarks supporting Palestinian propaganda.

4. In connection with paragraph 5 of resolution 71/92, the Secretary-General has obtained from the Commissioner-General of UNRWA the information available to him on the return of refugees registered with the Agency to the occupied Palestinian territory. As indicated in previous reports on the subject, UNRWA is not involved in any arrangements for the return of refugees, nor is it involved in any arrangements for the return of displaced persons who are not registered as refugees. Its information is based on requests by returning registered refugees for the transfer of their UNRWA registration records from Jordan, Lebanon or the Syrian Arab Republic to the areas to which they have returned. The Agency would not necessarily be aware of the return of any registered refugees who did not request the transfer of their registration records. So far as is known to the Agency, from 1 July 2016 to 30 June 2017, 283 refugees registered with UNRWA returned to the West Bank and 204 to the Gaza Strip from places outside the occupied Palestinian territory. It should be noted that some of those may not have been displaced in 1967, but may have been displaced in earlier or later years or may be members of the family of a displaced registered refugee. Thus, taking into account the estimate given in paragraph 4 of the previous report (A/71/340), the number of displaced registered refugees who are known by the Agency to have returned to the occupied territory since June 1967 is 37,093. UNRWA is unable to estimate the total number of displaced inhabitants who have returned. It keeps records only of registered refugees and other registered persons[1] and, as noted above, even those records, in particular with regard to the location of registered refugees and other registered persons, may be incomplete.

5. In connection with paragraph 3 of resolution 71/92, the Secretary-General refers to the report of the Commissioner-General of UNRWA for the period from 1 January to 31 December 2016 (A/72/13) and to the previous reports of the Commissioner-General for accounts of the ongoing assistance provided by UNRWA to persons displaced and in need of continued assistance.

[1] "Other registered persons" refers to those who, at the time of original registration, did not satisfy all the Agency's criteria for "Palestine refugee", but who were determined to have suffered significant loss and/or hardship for reasons relating to the 1948 conflict in Palestine; it also includes persons who belong to the families of other registered persons.